

REMARKS

The application previously contained 34 claims of which 5 were independent. The application as now amended with claims reinstated now 34 claims of which 3 are independent. Claims 16 - 23 and claims 25 - 34 are reinstated, as claims 16 - 23 have now been amended to depend from allowed generic claim 4, and because applicant believes that the amendment to claim 1 in response to the Examiner's remarks creates an allowable generic claim 1 from which claims 29 - 34 depend. Furthermore, applicant further believes that the amendment to claim 24 in response to the Examiner's remarks creates an allowable generic claim 24 from which claims 25 - 28 depend.

**Claims 1, 2, and 24 stand rejected under 35 USC 102(e) as anticipated by Kyle** (US 6,460,902). Kyle is relied upon for a load floor latch having a lid 24, a pawl 60 positioned with respect to the lid 24 to extend beyond and having a portion 65 for engaging a keeper 67, and a handle 54 and associated structure 56, 70 which acts upon an exterior surface 64 (Fig. 6A) of the pawl 60 which face being proximate said keeper engagement portion 65 of the pawl 60.

Applicant respectfully TRAVERSES the Examiner's reading of Kyle. It is true that Kyle's handle 54 pivots to plunge (operate) the push rod 70 downwardly. This causes the pawl 60 to retract from the frame which acts as the keeper for the Kyle slam lock. The recess 67 is part of the frame / keeper structure. However, the push rod 70 does not operate against an "exterior surface" of the pawl 60. The cam surface 64 is in an interior wall of the cavity of the Kyle cup shaped pawl 60 described at column 3, lines 63-67, and column 4, lines 1-6 and Fig. 6a.

Kyle's pawl 60 includes an inclined striker surface 65, causes the pawl to retract against the spring 66, as the Kyle latch is slammed shut. The Kyle handle 54 operates his push rod 70 downwardly against the Kyle cam surface 64 and not against the Kyle inclined

striker surface 65. This means that Kyle provides two separate and distinct inclined surfaces, 64 and 65.

Applicant has provided a very novel and valuable improvement. Applicant's improvement provides a structure where the "striker surface" itself (64, or 164, or 264, etc. of various embodiments) on applicant's pawl, is used as the inclined or ramped surface to retract the pawl. Applicant's camming member operates against his pawl ramped striker surface directly.

It is clearly understood by one of ordinary skill that a striker surface that hits (operates) against the keeper structure is on an "exterior" face (or surface) of a pawl. This striker surface is not in a cavity in a pawl. It is also understood by one of ordinary skill that the walls of a cavity in a pawl are not "exterior" surfaces of the pawl. For this reason, applicant has raised his Traversal.

It is impossible for Kyle to provide this feature. It is impossible to combine other structure with Kyle to provide this feature.

Claims 1-3 and 24 have been amended herein to more clearly recite this distinction and to expressly recite the ramped (inclined) striker surface.

**Claim 3 stands rejected under 35 USC 103(a) as obvious in view of Kyle when read with Bisbing (US 3,850,464).** Bisbing is relied upon a living spring 16, 31, 32 (Figs. 4-6). This rejection is TRAVERSED in part as to the two side segments 32 (Fig. 5) which act as "snap in tabs" and not spring members which bias the pawl. Bisbing's flexible leg 16 and middle resilient segment 31 operate to bias his pawl.

However, none of Bisbing's members 16, 31, 32 extend longitudinally outwardly from the pawl to change length as the Bisbing pawl is moved. Each of Bisbing's members 16, 31, 32 extend transversely to the Bisbing pawl and are intended to bend / in pivot or whip-like spring action. Moreover, none of the Bisbing resilient members are capable of changing

length (operating length) as the Bisbing pawl moves. Applicant's longitudinally extending living spring changes length as applicant's pawl moves.

For all of the above reasons, it is urged that amended claims 1-3 and 24 are now ready for allowance. For the above reasons, it is further urged that amended dependent claims 16-23 and 25-34 are now also allowable. It is requested that the case be examined and passed to issue with these claims as well as previously allowed claims 4-15.

Applicant wishes to thank the Examiner for the courtesies extended his attorney during the telephone interview of February 25, 2004. Should any further issue remain, the Examiner is invited to telephone applicant's attorney.

Respectfully submitted,  
Paul & Paul

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